

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

DEBTOR(S): Highland Select Equity Master Fund, L.P. Highland Select Equity Fund GP, L.P.	MAIN BANKRUPTCY CASE NO.: 23-31037-swe7 23-31039-mvl7
CAPTION & CASE NO. OF ADVERSARY:	DATE OF TRIAL/HEARING AND NATURE OF PROCEEDING: <u>July 19, 2023 @ 10:00 a.m.</u> Debtor's Motion to Transfer/Reassign Case (Docket No. 9) <u>July 19, 2023 @ 1:30 p.m.</u> Debtor's Motion to Transfer/Reassign Case (Docket No. 9)

DEBTOR'S WITNESS AND EXHIBIT LIST

Now comes Highland Select Equity Master Fund, L.P. and Highland Select Equity Fund GP, L.P., and files this Witness and Exhibit List for hearing on the Debtor's Motion to Transfer/Reassign Case [Docket No. 9], set for hearings on July 19, 2023, at 10:00 a.m. and 1:30 p.m., as follows:

WITNESSES

1. James P. Seery.
2. Any witness designated by any other party.
3. Any impeachment or rebuttal witness.
4. Debtors reserve the right to amend this designation as appropriate.

EXHIBITS

<u>EXHIBIT</u>	<u>DESCRIPTION OF EXHIBIT</u>	<u>OFFERED</u>	<u>OBJECTION</u>	<u>ADMITTED</u>
A	Original Complaint (SDNY Lawsuit)			
B	Schedules (Highland Select Equity Master Fund, L.P.)			
C	Statement of Financial Affairs (Highland Select Equity Master Fund, L.P.)			
D	Schedules (Highland Select Equity Fund GP, L.P.)			
E	Statement of Financial Affairs (Highland Select Equity Fund GP, L.P.)			

F	Proof of Claim No. 131 filed by The Dugaboy Investment Trust on 4/8/20 in Highland Capital Management, L.P. Case			
	The Debtors reserve the right to limit any document to redacted form.			
	Any exhibit designated by any other party.			
	Any pleadings, reports, or other documents filed in the Debtors' bankruptcy case.			
	Any impeachment or rebuttal exhibits.			
	All attachments or exhibits to any of the foregoing documents.			

JUDICIAL NOTICE

	The Debtors request the Court to take judicial notice of all pleadings filed in the Highland Capital Management, L.P. Case, all related adversary proceedings, appeals, and other related proceedings including but not limited to the following:			
	Dkt. No. 1153 – Response of the Dugaboy Investment Trust to the Debtor's First Omnibus Objection to Certain Proofs of Claim			
	Dkt. No. 1154 – The Dugaboy Investment Trust's Motion for Leave to Amend Certain Proofs of Claim			
	Dkt. No. 1667 – Objection to Confirmation of the Debtor's Fifth Amended Plan of Reorganization			
	Dkt. No. 1706 – Objection to Debtor's Motion Approving Settlement with Harbourest			
	Dkt. No. 1745 – Motion to Appoint Examiner			
	Dkt. No. 1776 – Notice of Deposition to Highland Capital Management, L.P.			
	Dkt. No. 1868 – Supplemental Objection to Fifth Amended Plan of Reorganization of Highland Capital Management, L.P.			
	Dkt. No. 1870 – Notice of Appeal and Statement of Election			
	Dkt. No. 1889 – Amended Notice of Appeal and Statement of Election			
	Dkt. No. 1943 – Order Confirming Fifth Amended Plan of Reorganization			
	Dkt. No. 1971 – Joiner to Motions for Stay Pending Appeal of the Court's Order Confirming the Debtor's Fifth Amended Plan			

	Dkt. No. 1972 – Notice of Appeal and Statement of Election			
	Dkt. No. 2256 – Motion to Compel Compliance			
	Dkt. No. 2268 – Limited Preliminary Objection to the Debtor’s Motion Approving Settlement with UBS Securities LLC and UB AG London Branch			
	Dkt. No. 2290 – Notice of Deposition			
	Dkt. No. 2293 – Supplemental Opposition to Debtor’s Motion Approving Settlement with UBS Securities LLC and UBS AG London Branch			
	Dkt. No. 2398 – Notice of Appeal and Statement of Election			
	Dkt. No. 2403 – Preliminary Objection to Debtor’s Motion Authorizing Exit Financing Agreement			
	Dkt. No. 2424 – Reply to Debtor’s Opposition to Motion to Compel Compliance			
	Dkt. No. 2447 – Notice of Service of Subpoena to Appear and Testify and to Produce Documents			
	Dkt. No. 2448 – Notice of Service of Subpoena to Appear and Testify and to Produce Documents			
	Dkt. No. 2467 – Supplemental Objection to Debtor’s Motion Authorizing Exit Financing Agreement			
	Dkt. No. 2563 – Objection to Debtor’s Motion Authorizing Creation of an Indemnity Subtrust			
	Dkt. No. 2673 – Notice of Appeal			
	Dkt. No. 2715 – Limited Objection to Motion for 2004 Examination			
	Dkt. No. 2840 – Notice of Appeal and Statement of Election			
	Dkt. No. 2932 – No Opposition to Granting Objection to POC 177 by The Dugaboy Investment Trust			
	Dkt. No. 2933 – Limited Response and Consent to Objection to POC 131 by The Dugaboy Investment Trust			
	Dkt. No. 2958 – Response to Highland Capital’s Reply iso Objection to POC 131			
	Dkt. No. 2959 – Response to Highland Capital’s Reply iso Objection to POC 177			
	Dkt. No. 3066 – Motion for Leave to File Lawsuit			
	Dkt. No. 3128 – Motion to Produce Documents and 2004 Exam			

	Dkt. No. 3333 – Refiling of Motion for Leave to File Lawsuit			
	Dkt. No. 3382 – Motion for Determination of the Value of the Estate and Assets Held by the claimant trust			
	Dkt. No. 3540 – Joinder to Funds’ Response to the Motion to Conform Plan			
	Dkt. No. 3602 – The Dugaboy Investment Trust’s Opposition to the Highland Partis’ Motion to Quash Subpoenas			
	Dkt. No. 3607 – The Dugaboy Investment Trust’s Reply iso Motion for Determination of Value			
	Dkt. No. 3637 – The Dugaboy Investment Trust’s Supplemental Brief iso Motion for Determination of Value			
	Dkt. No. 3752 – Memorandum of Law iso Defendants’ Motion to Stay and Motion to Compel Mediation			
	Dkt. No. 3802 – The Dugaboy Investment Trust’s Motion to Preserve Evidence and Compel Forensic Imaging of James P. Seery, Jr.’s iPhone			

Debtors reserves the right to amend or supplement this Witness and Exhibit List at any time prior to the hearing.

Respectfully submitted,

QUILLING, SELANDER, LOWNDS,
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By: /s/ Hudson M. Jobe
Hudson M. Jobe
State Bar No. 24041189

ATTORNEYS FOR DEBTORS

CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2023, a true and correct copy of the foregoing instrument was served by electronic transmission via the Court's CM/ECF system upon all parties registered to receive electronic notice in this bankruptcy case.

/s/ Hudson M. Jobe